G. R. S. 59]

GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1903 1904 p17

491

(Municipal)

File No. 96 of 1903

Serial Nos. 1–4

Papers Filed.

Month February 1904

SUBJECT.

Complaint from the residents of Nalbandwadi Bangalore city, against the removal of Thatty screens put up by them

Indexed — [illegible]

PREVIOUS REFERENCES.

LATER REFERENCES.

Communicated

Govt

Office the ~~Dewan~~ of Mysore.

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch Local Boards

Subject Letter no 142 dated the 20th November 1903 from the President of the Municipal Commissioner Bangalore City, reporting on the petition of Cheik Mahomed and other residents of Nalbundwadi complaining against the removal of thatty screens put up by them

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In September last Cheik Mahomed and other residents of Nalbandwadi at Bangalore petitioned the 2d Commissioner complaining that the Municipal authorities insisted upon removing the thatties put to serve as screens for goshas on either side of the lane leading to the Wadi and praying that the said

said Shatties might not be removed or if that was not possible that houses adjoining the lane might be acquired as the same were unfit for dwelling purposes for persons among whom goolha system prevailed

2 On this the second Commissioner observed as follows :-

" To the Secretary for decision. A report may perhaps be called for, on receipt of which I will inspect the place in company with the President "

3. A report was accordingly called for from the President in C.M. No. 1408/C.T. 57-02 of the 9th October last

4. The President reports as follows:- "The lane was formerly

Flag A

- 1428, 29th
- 1903

a very narrow one and it was ordered by the Municipality to some extent in 1886 for the benefit of the residents thereabout The Cash account for January 1886 shows that an aggregate sum of Rs 197-8-0 was paid as compensation for the land required for widening the lane. There are no other records in this office bearing on this question nor is there any record to show that any promise was held out to the petitioners to erect a gate at the entrance. The Complainants have been for some time obstructing the lane by putting up a mat wall across it and they were required to remove the same Whereupon they petitioned to the Municipality and their case was represented by Mr Chinnathamby Advocate who on having shown the lane and the obstruction his clients had made

agreed that they had no case and accordingly an endorsement was given to the petitioners and the obstruction removed. Apparently the lane is narrow and by putting up a screen across, the petitioners were inconveniencing the public & their neighbours had to take a round about route to get to their houses under these circumstances their present complaint does not seem to be admissible"

Submitted for orders. This has to be submitted to the Councillor (Tide prevents visit)
11/12/03

J.D.
16/12/03

The petn. may be rejected & file (dupt) put up. H.L.
15/12/3

The Secretary
Thro' the Asst.
Commissioner

I told them we will see them for a few days as I wished to mislead the case & with the President - I inspected the lane w.

5

As I said the other day the case is a public one maintained & conducted by the Municipality. The Petitioners have no valid grievance over election of the Walband community living in the locality wants a screen which the other is strongly opposed to it. In these circumstances there are no grounds for Govt's interference. I agree to the proposed rejection of the petition - I may add that neither the Municipality nor the Public are likely to be inconvenienced in any way by the erection of a double screen as in case the whole of the people living in the locality ask for

For other orders

" "

7-1-04

15709
8.1.04

H
7/1/04

SECTION Miscle

FILE No. 92 of 03 1903

No. 633

SERIAL No.

Name of Petitioner Sundry other Residents

Village Kalbandwadi

Taluk Bangalore Cantt.

District

Date of Arzi 7-9-03

Date of Receipt 10-9-03

Date of Disposal

No. of Enclosure Nil

ABSTRACT

State that when the municipality required the acquisition of lands for the purpose of widening a road and part leading from the public lands to the interior of the petitioners locality, and which was a common property of the owners of the houses on both sides the petitioners refused to give the lands and to accept the compensation for the same as thereby they experience much difficulties in case of the want of lands owned by the petitioners of one well and half

to the Secretary for disposal a report may be had & the case called for on receipt of which I will inspect the place in company with the Petitioners

19 of C.S
8-9-03

To be sent to the Local Boards Branch for some of the above

8-9-03.

A.S.ch
Orig 21/9/03

To the same Re 1408 8/9/1903

common to all with Locality that
municipality proposed to
erect a gate there, for the
purpose of gaths that, then,
the residents of the place
satisfied as to their right
to the land and allowed
the paths being reclaimed
that during the recession
of work, shutters were put
there effecting the gate proposed
as above; that the shutters
served the purpose of gate,
the residents did not
stumble for a gate and
the municipality never required
of them to take off the shutters;
that as to proof of the above
Mrs A. Srinivasa Charlu the
then Vice President, Vaidya Raj,
Sanitary Inspector and Velamedhan
may be taken as witnesses in
the matter of reasons may be
shown to the petitioners to the
effect that Compensation was
paid for the lands; that the
Matters and other reasons of great
Consequence to the petr. that the
Municipal authorities want to remove
the Matters about suggestion of one
or two of mischievous character;
that if the municipality is determined
now to obtain possession of the land
in question in opposing houses may
be taken as the same without Matters.
as all the paths are now declared fit
for their dwelling purposes for persons
amongst whom gotha system is observed—
May that necessary reasons be
provided, that the gentlemen named above
are taken witnesses in that effect be
furnished personally to that municipality be ordered

3 Should these determinations abeyance till all these are settled

leg
1/19/03

No. 1408 7/9/1903
L.95 1902

SECTION Mural official Memo
FILE No. 91 M.03
SERIAL No. 21

The accompanying ✓ 33
appeal petition Regd no 1626
dated the 7th Sept: 1903 re-
ceived from Sheik Mahomed
Sab and others residents of
Nalbandvadi, Bangalore City,
complaining that the Muni-
cipal authorities insist
upon removing the Tallies
put up to serve as receptacles
for garbage on either side of
the lane leading to the houses
and prohibit that the said
Tallies may not be re-
moved or, if that is not feasible
that the houses adjoining the
lane also may be acquired as
the same without Tallies are
useful for dwelling purposes
for persons among whom Goats
system prevails, is forwarded
to the President of the Muni-
cipal Commission Bangalore
City, for report on the res-
pective allegations contained in the Petn
with records, if any, bearing on
the subject "By order" [illegible]
[illegible] Asst Secy

5 9 L 2280

SECTION Municipal

FILE No. 96 From The President,

SERIAL No. 3 To Municipal Commissioner, Bangalore City.

1903 3-12-3 5

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Genl. & Rev. Departments,
Bangalore.

Dated 28th November
Despatched 31st December } 1903
Received

General No. 142
No.

Enclosure No. One

Reporting on the petition from Sheik Mahomed and other residents of Kalbandawadi complaining against removal of the Mutty screen put up by them infront premises across the middle of a Municipal lane by the side of their houses

L.H.
2/1/03

5-1-03

A.S.C.
3/1/03

(6)

OFFICE OF THE MUNICIPAL COMMISSION,

No. 1142 forth one Endaave City Bangalore, 28 November 1903
1 December 5

From

THE PRESIDENT
Municipal Commission,
Bangalore City.

To

The Secretary to the Government
of His Highness the Maharaja of Mysore,
General & Revenue Departments,
Bangalore.

Sir,

With reference to your official Memorandum no: 1408 / L.7. 51-02 dated the 9th ultimo, forwarding for report the Appeal petition of Sheik Mahomed and other residents of Nabbandawadi complaining against the removal of the thatty screen put up by them without permission, across the middle of a municipal lane by the side of their houses, I have the honor to state that the lane was formerly a very narrow one and it was widened by the Municipality to some extent in 1886 for the benefit of the residents thereabout.

The Cash account for January 1886
shows that an aggregate sum of Rs 197-8-0
was paid as compensation for the land
required for widening the lane There are
no other records in this office bearing on
this question nor is there any record to
show that any promise was held out to
the petitioners to erect a gate at the entrance.

The complainants have been for some
time obstructing the lane by putting up
a mat wall across it and they were
required to remove the same. Whereupon
they petitioned to the Municipality and
their case was represented by Mr. Bheema
Rau, Advocate, who, on being shewn the lane
and the obstruction his clients had made
agreed that they had no case and accord-
ingly an endorsement was given to the
Petitioners and the obstruction removed.

departmentally. The lane is narrow and by putting up a screen across the petitioner were inconveniencing the public. Their neighbours had to take a roundabout route to get to their houses.

Under these circumstances, their present complaint does not seem to be admissible.

2. The enclosure to the memorandum under reply is herewith returned.

I have the honor to be

Sir,

Your most obedient Servant

H. H. Lowry

President

WRK

C. Srinivasa Iyengar, Esquire,

Councillor to His Highness the Maharaja of Mysore

(Municipal Department).

Most Respected Sir,

With due deference and submission, the residents of Halbandvadi beg to bring the following for your honor's kind consideration.

123

That in good old days there was a very narrow path that led from the public lane to the interior of their locality. This path was considered to be the common property of the owners of the houses on both sides of it.

That as the thickly-populated locality was always threaten-ed by visitation of cholera, the Muncipal authorities thought it advisable to widen the path for air and light to enter freely therin.

That as this action was to the interest and benifit of the residents of the place, they gave a hearty co-operation in the matter with the Muncipal authorities.

That to accomplish this object, the Municipality could not but resort to the acquisition of the necessary portions of land required for the purpose. But as there were, and still are, only one well and one latrine common to all in the whole locality, the residents of the place, getting conscious of the difficulties of gosha &c, that their females would be put to in case their lands were utilized as aforesaid, they refused to give the land to the Muncipality and accept compensation for the same.

That this objection having been raised, the Muncipal authorities promised to erect a gate there for the purpose of gosha.

Then it was that the residents of the place, satisfied as to their right to the land, allowed to go on with the work of widening the path.

That during the period the work was in hand what should they do for goshs ? .his was the question that involved their attention at first. What they did was they put on thatties there in expectation of the gate promised as above.

That the work was completed and the thatties served the purpose of the screen or gate. They did not grumble for a gate and the Municipality never required of them to take off the thatties. This mutual understanding being respected ever since the lane was widened , neither party had any reason to complain .

That the existence of the thatties there for over 10 years and the fact that the residents of the place are exercising their rights at the place all the time as to the goshs and other things connected with family requirements, will clearly show that the land in question has not been acquired by the Municipality.

That as to the proof of the above, Mr. A. Srinivasa Charlu the then Vice President, Mr. Varda Raj, Sanitary Inspector and Mr. Goolamally Khan, Assistant Sanitary Inspector, may be taken as witnesses in the matter, or, to convince the petitioners, records will kindly be shown to them as to the payment of the compensation therefor.

That the thatties referred to, instead of being any obsta cle to the public concerned, are the means of great convenience to them.

That such being the case, the Municipal authorities are no bent upon removing the said thatties at the suggestion of one or two mischievous characters and only to the utter inconvenience of almost all the residents there.

That the humble petitioners are fully aware that whatever is done by the benign Government or the Municipality is always done for the good of the public interested in the matter; but the above action is intended only to do harm rather than any good to them.

That under the present circumstances, unless the Municipality establish by way of acquisition its right of ownership of the whole ground occupied by the said path, it is only unjust to remove the said thatties by force and put the humble petitioners to unnecessary troubles.

That if the Municipality is determined now to obtain possession of the land in question, the humble petitioners most respectfully pray that the Muncipality will have also to take the adjoining houses, as the same without thatties across the path are rendered unfit for dwelling purposes for persons amongst whom gosha system is observed.

Now they humbly pray that your honor will be pleased to have a kind perusal of the necessary records, to take the evidence of the gentlemen named above and to inspect the spot personally. That your honor will also be pleased to order the Municipality to hold the said determination of theirs in abeyance till all this is settled.

For which act of kindness, the petitioners will ever be grateful to your honor and hundreds of gosha females such as widows, virgins and the married shall ever pray for your honor's long life and most-envied prosperity.

They mostly humbly beg to remain,

Most Respected Sir,

Your honor's most obedient servants,

The residents of Nallandamadi, Bangalore city.

Dt. 7th Septr 1903
Bangalor

Signatures	Names
الراجح شیخ محمود صاحب	Shaik mahmood sab Livery stable keeper
یہ ں نشان انگوٹھا محمد صاحب ولد شیخ حسین صاحب	Mohamed sahib son of Chonna hsian sahb
محمد صاحب	Muhammad sab
غلام محمود	Gulam Mahmood
راجح عبدالرازق	Abdul Rajak
یہ ں نشان انگوٹھا پاچہ صاحب کا راجح ہے	Pacha sab
یہ ں نشان حیدر خاں کے راجح کی ہے	Hyder khan.
یہ ں نشان انگوٹھا ایاز صاحب کے راجح کی ہے	Ayaz sab
یہ ں نشان انگوٹھا محمد یٰسین کے راجح کی ہے	Muhammad Yaseen
محمد ابراہیم	Mohammad Ibrahim
یہ ں نشان انگوٹھا عبداللہ صاحب کے راجح کی ہے	Abdulla Sahib
یہ ں نشان انگوٹھا یجمان بہاؤالدین صاحب کی ہے	Yeaman Bahuddin sab
یہ ں نشان انگوٹھا عباس خاں کے راجح کی ہے	Abbas Khan
یہ ں نشان انگوٹھا حسین صاحب کی راجح کی ہے	Hussain sahb
غلام محمد	Gulam Mahammad
راجح محمد عبداللہ	Mohamad Abdulla.
یہاں کی نشان خلندر صاحب کی راجح کی	Khalander sahib
یہاں کی نشان فضل محمد صاحب کی راجح کی ہے	fadda hidamad sab
یہاں کی نشان چھوٹے قاسم صاحب کی راجح کی	Chik Khasim sahib
راجح شیخ احمد لغایہ	Allaud Shaik Ahmed

SECTION Municl

FILE No. 96 of 03

SERIAL No. 4

No. 2840
L. F. 57-02

MYSORE DEWAN'S OFFICE,
LOCAL BOARDS BRANCH.

The 2/2/ 1904.

ENDORSEMENT granted to Sheik Mahomed and others residents of Malbandwadi in the Bangalore City in reply to their Petition Registered No. 633 / 1626 dated the 7th October 1903 complaining that the municipal authorities visited upon removing the latties put up by them to serve as screens on either side of the lane leading to the Madi and praying that either the latties may be ordered to be kept on or if that is not possible, the lands houses adjoining the lane may also be acquired

Petitioners are informed that the Government see no grounds to interfere in the matter, and that their petition is accordingly rejected.

By Order,

Secretary.

Memo No. 2841 / L.F.S-1-02 2/2/1904

Copy forwarded to the President

of the Municipal Commissioner Bangalore City, with reference to his letter No. 412 dated the 28th November 1903

"By order"